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OCT 27 2006

DATE: October 27, 2006CLIENT NO.: K2291.0102MESSAGE TO: Examiner Hassan A. PhillipsCOMPANY: USPTO - Art Unit 2151FAX NUMBER: 1-571-273-8300PHONE: 1-571-272-3940FROM: Brenda Bridges on behalf of Michael J. ScheerPHONE: (212) 277-6703PAGES (Including Cover Sheet): 15 HARD COPY TO FOLLOW: YES X NO

SENT BY:

DATE/TIME:

MESSAGE:

In re Patent Application of: Masayoshi Kobayashi

Allowed: July 28, 2006 Application No.: 09/915,056

Confirmation No.: 6082 Filed: July 25, 2001

Art Unit: 2151

For: TECHNIQUE FOR ENHANCING EFFECTIVENESS OF CACHE SERVER

Applicant filed a Request for Supplemental Notice of Allowance on August 16, 2006 regarding crossed out references in September 29, 2001 and Ocibr 3, 2005 SB/08s.

Upon payment of paying issue fee (due October 30, 2006), Applicant accessed PAIR and noted a Notice of Non-Compliant Information Disclosure Statement dated September 14, 2006.

Attached are copies of the Information Disclosure Statements in response to the Notice.

It is respectfully requested that the references now be initialed and the initialed forms returned to the undersigned. Your immediate attention to this matter would be greatly appreciated.

Kind Regards

Brenda Bridges (212) 277-6703

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002/015



OCT 27 2006

AF

Docket No.: K2291.0102
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masayoshi Kobayashi

Application No.: 09/915,056

Confirmation No.: 6082

Filed: July 25, 2001

Art Unit: 2151

For: TECHNIQUE FOR ENHANCING
EFFECTIVENESS OF CACHE SERVER

Examiner: H. A. Phillips

INFORMATION DISCLOSURE STATEMENT (IDS)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/04/2005 SZEWDIE1 00000141 09915056

01 FC:1806

180.00 DP

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☐ This IDS is being filed before the First Office Action¹.
- ☐ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(c).

² The IDS must include either a certification under 37 C.F.R. §1.97(c) or the fee set forth in 37 C.F.R. §1.17(p).

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Application No.: 09/915,056

Docket No.: K2291.0102

- ☒ This IDS is being filed after the issuance of a Final Office Action or Notice of Allowance but before the payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

- ☒ Statement under 37 CFR § 1.97(c):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☒ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application less than thirty days prior to the filing of this information disclosure statement.

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

- ☐ If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

Application No.: 09/915,056

Docket No.: K2291.0102

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

- ☒ A legible copy⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.
- ☒ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:
- ☐ A translation of the relevant portions of the non-English language information⁵;
- ☐ A statement explaining the relevant portions of the non-English language information;
- ☒ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or
- ☐ This information is contained in the specification of the present application.

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) - (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) requires that an English language translation be provided when a translation of the document, or portion thereof, "is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c)."

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).

Application No.: 09/915,056

Docket No.: K2291.0102

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. _____, filed _____, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: September 30, 2005

Respectfully submitted,

By 

Michael J. Scheet

Registration No. 34,425

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas, 41st Floor
New York, NY 10036-2714
(212) 835-1400

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PTO/SB/03a/b (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete If Known

Application Number	09/915,056 - Conf. No. 6082
Filing Date	July 25, 2001
First Named Inventor	Masayoshi Kobayashi
Art Unit	2151
Examiner Name	H.A. Phillips
Attorney Docket Number	K2291.0113

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	JP-9-247153	09-18-1997			
	BB	JP-2000-201182	07-18-2000			
	BC	JP-9-275403	10-21-1997			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 601.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	English translation of Japanese office action	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language translation is attached.

Examiner
SignatureDate
Considered

OCT 27 2006

PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/915,056 – Conf. No. 6082
				Filing Date	July 25, 2001
				First Named Inventor	Masayoshi Kobayashi
				Art Unit	2151
				Examiner Name	H.A. Phillips
				Attorney Docket Number	K2291.0113
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ⁴ -Number ⁵ -Kind Code ⁶ (if known)				
	BA	JP-9-247153	09-19-1997			
	BB	JP-2000-201182	07-18-2000			
	BC	JP-9-275403	10-21-1997			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	English translation of Japanese office action	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached

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Sheet 1 of 1

APPLICANT'S ART CITATION (Use several sheets if necessary)	Application 09/915,056	OPGS File No. P/2291-102
	Applicant KOBAYASHI, M.	
	Filing Date 7/25/01	Group Art Unit ..

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Date	Name	Class	Sub-class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub-class	Translation	
						Yes	No
	11- 2 4 9 8 1	1/1999	JAPAN (see specification)				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

KOBAYASHI, M.

Serial No.: 09/915,056

Filed: 7/25/01

For: TECHNIQUE FOR ENHANCING EFFECTIVENESS ...

Our Ref.: P/2291-102

Date: September 20, 2001

Group Art Unit: --

Examiner: --

Assistant Commissioner of Patents
Washington, D.C. 20231SUBMISSION

Sir:

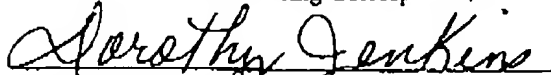
<input checked="" type="checkbox"/>	Submitted herewith is a copy of art together with an art listing form listing the same for the convenience of the Examiner.
<input type="checkbox"/>	The document(s) listed on the attached art listing form was/were cited in a Search Report issued by a foreign patent office in a related application. A copy of the Search Report (in the English language) is attached hereto for the Examiner's reference.
<input type="checkbox"/>	The Japanese Publication(s) listed on the attached art listing form was/were cited in a Japanese Office Action issued in a related application. A copy of the Japanese Office Action and an English-language translation of the relevant portions are also attached. SEE ENGLISH TRANSLATION FOR NON-ENGLISH-LANGUAGE DOCUMENTS.
<input type="checkbox"/>	This submission is being made after the issuance of a first Office Action and three months after the application filing date. Thus a Certification Under 37 C.F.R. §1.97(e) is set forth below.
<input type="checkbox"/>	I hereby certify that each item of information contained in this Submission was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Submission (37 C.F.R. §1.97(e)).
<input type="checkbox"/>	I hereby certify that each item of information contained in this Submission was cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty (30) days prior to the filing of this Submission (37 C.F.R. §1.97(e)).
<input type="checkbox"/>	This submission is being made after the issuance of the first Office Action and without a certification. The fee of \$180.00 under 37 C.F.R. §1.17(p) is attached.
<input type="checkbox"/>	This submission is being made after the issuance of a final rejection or a Notice of Allowance but prior to the payment of the issue fee. Applicant(s) hereby attach the fee of \$180.00 under 37 C.F.R. §1.17(I). A certification under 37 C.F.R. §1.97(e) is set forth above.

EXPRESS MAIL CERTIFICATE

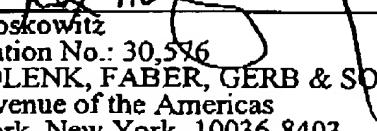
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EL613111050US) in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231-9999, on September 20, 2001:

Dorothy Jenkins

Name of Person Mailing Correspondence



Respectfully submitted,


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